

**Introduced by Senators Dutton and Ducheny  
(Coauthor: Senator Hollingsworth)**

February 24, 2009

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An act relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 261, as introduced, Dutton. Water use.

Existing law requires the Department of Water Resources to convene an independent technical panel to provide information to the department and the Legislature on new demand management measures, technologies, and approaches. "Demand management measures" means those water conservation measures, programs, and incentives that prevent the waste of water and promote the reasonable and efficient use and reuse of available supplies.

This bill would state legislative findings and declarations relating to water use.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The Governor's call for a 20 percent reduction in statewide,
- 4 urban per capita water use is an important component of a
- 5 comprehensive package of water management strategies necessary
- 6 to ensure sufficient water supplies for California's residential and
- 7 commercial uses.

1 (b) The implementation of this goal should allow for flexible  
2 implementation that provides for the option of regional-level or  
3 local implementation.

4 (c) Meeting the statewide conservation goal should be pursued  
5 in a manner that clearly recognizes all water use efficiency efforts,  
6 including water recycling, stormwater capture, and cooperative  
7 efforts among agencies.

8 (d) Existing, well-established water management planning  
9 processes, including integrated water management plans, must be  
10 utilized to provide for the most effective, cooperative, efficient,  
11 and expedient progress toward the 20 percent statewide goal.

12 (e) General statutory direction to state, regional, and local  
13 implementing agencies should allow for implementation that  
14 reflects the need to take into account unique local factors, including  
15 housing density and lot sizes, climatic conditions, commercial,  
16 industrial, and institutional uses, and year-to-year weather changes.

17 (f) To date, statewide conservation data is inadequate for the  
18 purpose of assessing past and ongoing conservation efforts.  
19 Standardized data collection and analysis will provide the best  
20 means for tracking progress toward the statewide conservation  
21 goal and ensuring accountability among local and regional  
22 agencies.

23 (g) Goals pertaining to commercial and industrial uses must  
24 recognize the very different commercial and industrial uses among  
25 regions and local agencies and should not unreasonably combine  
26 the factors of commercial uses and population. Progress toward  
27 commercial and industrial water conservation can best be achieved  
28 through potential development of best management practices and  
29 local and regional engagement with local commercial and industrial  
30 operations.

31 (h) Any per capita water use goals must be utilized in a fair,  
32 appropriate, and productive manner at the statewide and regional  
33 level and should not be applied in a manner that does not account  
34 for the unique factors associated with individual agency conditions.

35 (i) Water conservation and water use efficiency efforts shall be  
36 undertaken for the purpose of enhancing watershed sustainability.

37 (j) Statutory revisions and administrative actions that provide  
38 direction for implementation of the urban water use conservation

- 1 goal should not be crafted in a manner that could affect or imperil
- 2 existing water rights.

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